

In the ABSTRACT OF THE DISCLOSURE, please delete -NOVEL CYTOKINE ZALPHA11 LIGAND-, and insert therefore "ZALPHA11 LIGAND POLYPEPTIDES".

In the Claims:

B1 1. (amended) An isolated polypeptide comprising a sequence of amino acid residues that is at least 90% identical to residues 41 (Gln) to 148 (Ile) as shown in SEQ ID NO: 2, wherein the residue at position 44 is Asp, the residue at position 47 is Asp and the residue at position 135 is Glu, wherein the polypeptide binds a zalpha11 receptor as shown in SEQ ID NO: 115.

B2 5. (amended) The isolated polypeptide of claim 1, wherein the polypeptide [binds the zalpha11 receptor as shown in SEQ ID NO: 115] stimulates proliferation of NK cells or NK cell progenitors, stimulates activation of NK cells, stimulates proliferation of T cells, stimulates proliferation of B cells stimulated with anti-CD40 antibodies, or reduces proliferation of B cells stimulated with anti-IgM antibodies.

B3 8. (amended) An isolated polypeptide comprising at least 14 contiguous amino acid residues of SEQ ID NO: 2 or SEQ ID NO: 56, wherein said polypeptide stimulates an antigenic response in a mammal.

B4 10-44. (amended) An isolated polypeptide comprising a sequence of amino acid residues that is at least 90% identical to amino acid residue 32 (Gln) to amino acid residue 162 (Ser) as shown in SEQ ID NO: 2, wherein the polypeptide binds a zalpha11 receptor as shown in SEQ ID NO: 115.

B5 12-46. (amended) An isolated polypeptide comprising a sequence of amino acid residues that is at least 95% identical to amino acid residue 32 (Gln) to amino acid residue 162 (Ser) as shown in SEQ ID NO: 2, wherein the polypeptide binds a zalpha11 receptor as shown in SEQ ID NO: 115.

B6 14-48. (amended) An isolated polypeptide comprising a sequence of amino acid residues from amino acid residue 41 (Gln) to amino acid residue 145 (Gln) as shown in SEQ ID NO: 2, wherein the polypeptide binds a zalpha11 receptor as shown in SEQ ID NO: 115.

15-49. (amended) An isolated polypeptide comprising a sequence of amino acid residues from amino acid residue 32 (Gln) to amino acid residue 145 (Gln) as

shown in SEQ ID NO: 2, wherein the polypeptide binds a zalpha11 receptor as shown in SEQ ID NO: 115.

16 50. (amended) An isolated polypeptide comprising a sequence of amino acid residues that is at least 90% identical to amino acid residue 41 (Gln) to amino acid residue 162 (Ser) as shown in SEQ ID NO: 2, wherein amino acid residue 145 is Asp and amino acid residue 148 is Asp, and wherein the polypeptide binds a zalpha11 receptor as shown in SEQ ID NO: 115.

17 51. (amended) An isolated polypeptide comprising a sequence of amino acid residues that is at least 90% identical to amino acid residue 32 (Gln) to amino acid residue 162 (Ser) as shown in SEQ ID NO: 2, wherein amino acid residue 145 is Asp and amino acid residue 148 is Asp, and wherein the polypeptide binds a zalpha11 receptor as shown in SEQ ID NO: 115.

18 52. (amended) The isolated polypeptide of claim 51, wherein [the sequence of amino acid residue is identical to SEQ ID NO: 2, except amino acid residue 145 is Asp and amino acid residue 148 is Asp] the polypeptide stimulates proliferation of NK cells or NK cell progenitors, stimulates activation of NK cells, stimulates proliferation of T cells, stimulates proliferation of B cells stimulated with anti-CD40 antibodies, or reduces proliferation of B cells stimulated with anti-IgM antibodies.

B6
cont

19 53. (amended) An isolated polypeptide comprising a sequence of amino acid residue that is at least 90% identical to a sequence as shown in SEQ ID NO: 2, from amino acid residue 41 (Gln) to amino acid residue 145, wherein residue 145 is Asp not Gln, and wherein the polypeptide binds a zalpha11 receptor as shown in SEQ ID NO: 115.

20 54. (amended) The isolated polypeptide of claim 53, wherein the sequence of amino acid residue is identical to SEQ ID NO: 2, except amino acid residue 145 is Asp not Gln, and wherein the polypeptide binds a zalpha11 receptor as shown in SEQ ID NO: 115.

21 55. (amended) An isolated polypeptide comprising a sequence of amino acid residues as shown in SEQ ID NO: 56 from residue 23 (Gln) to residue 146 (Ser), wherein the polypeptide binds a zalpha11 receptor as shown in SEQ ID NO: 115.

23 ~~57~~ (amended) An isolated polypeptide comprising at least 14 contiguous amino acid residues selected from the group consisting of:

(a) amino acid residues 41-56 of SEQ ID NO: 2;
(b) amino acid residues 68-84 of SEQ ID NO: 2;
(c) amino acid residues 92-105 of SEQ ID NO: 2; and
(d) amino acid residues 135-148 of SEQ ID NO: 2, wherein amino acid residue 145 is Asp and amino acid residue 148 is Asp, and wherein said polypeptide stimulates an antigenic response in a mammal.

B7

REMARKS

Reconsideration of the application in view of the above amendments and following remarks is requested. Claims 1-9 and 43-57 are now in the case. Claims 6, 7, 8, 44, 46, 48-54, 55 and 57 have been amended. Claims 13-43 have been withdrawn pursuant to the election requirement. Applicants have enclosed a clean copy of the amended claims for the Examiner's convenience.

Applicants gratefully acknowledge the assistance the Examiner has extended them in preparing the instant application for allowance. In particular, Applicants appreciate that the Examiner has agreed not to maintain the previous rejections under 35 U.S.C. §§ 101 and 112, first paragraph, set forth in the Office Action dated April 4, 2001, in view of the support identified throughout the specification.

Applicants have amended the claims to reflect certain embodiments that in view of business and scientific goals have become a priority for the assignee. For these reasons, Applicants have decided to expedite allowance of these claims. Any matter not in the instant claims may be pursued in other pending applications, and has expressly not been forfeited by Applicants for reasons relating to patentability.

Support for the amendments can be found throughout the specification. For example, support for activities that include stimulating the proliferation and differentiation of NK cells and their progenitors is found on page 60, line 14-page 61, line 2; page 65, lines 11-12; and Examples 21, 39, and 40. Support for zalpha11 Ligand stimulating the activation of NK cells is found on page 60, lines 14-29; and Examples 40 and 41. The specification supports the proliferation of T cells on page 65, lines 14-16; and in Examples 42 and 43. B cells anti-CD40 induced proliferation is supported, for example, on page 65, lines 12-14; and in Example 44C. Inhibition of anti-IgM exposed B cells is disclosed within the specification on page 65, lines 12-14; and in Example 44D. Support for stimulating an antigenic response in a mammal can be found, for example, on page 66, line 20 to page 67, line 20; and Examples 27, 33, and 34.

252